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Attorneys for Defendants:
AMY PINTO LOME REVOCABLE TRUST,
U/A/D 5/22/03; AMY PINTO LOME,
individually and in her capacity as Grantor
and Trustee for the Amy Pinto Lome Revocable
Trust u/a/d 5/22/03; and LEONARD D. LOME,
in his capacity as Trustee for the Amy Pinto
Lome Revocable Trust u/a/d 5/22/03

**IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Adv. Pro. No.08-01789 (SMB)

Plaintiff-Appellant,

SIPA LIQUIDATION

v.
BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

(Substantially Consolidated)

Defendant.

In Re:

BERNARD L MADOFF,

Debtor.

<p>IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC,</p> <p>Plaintiff,</p> <p>v.</p> <p>AMY PINTO LOME REVOCABLE TRUST, U/A/D 5/22/03; AMY PINTO LOME, individually and in her capacity as Grantor and Trustee for the Amy Pinto Lome Revocable Trust u/a/d 5/22/03; and LEONARD D. LOME, in his capacity as Trustee for the Amy Pinto Lome Revocable Trust u/a/d 5/22/03,</p> <p>Defendants.</p>	<p>Adv. Pro. No. 10-04588 (SMB)</p>
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**DECLARATION OF ROBERT M. MCCLAY IN SUPPORT OF DEFENDANTS'
MOTION FOR AN ORDER PURSUANT TO RULE 2090-1(e) OF THE LOCAL
BANKRUPTCY RULES TO REMOVE BRUCE S. SCHAEFFER AS COUNSEL TO
DEFENDANTS**

I, Robert M. McClay declare as follows:

1. I am counsel at the law firm of McClay•Alton, P.L.L.P. and admitted Pro Hac Vice to this court. Pursuant to Rule 2090-1(e) of the Local Rules of the United States Bankruptcy Court for the Southern District of New York, I submit this declaration in support of the accompanying motion, notice of presentment and proposed order to remove Bruce S. Schaeffer (“Mr. Schaeffer”) as counsel for defendants Amy Pinto Lome Revocable Trust, Amy Pinto Lome, and Leonard D. Lome (“Defendants”) in this adversary proceeding.

2. On June 26, 2009, Mr. Schaeffer submitted a representation letter to the Trustee regarding the above captioned adversary case.

3. On March 27, 2012, Mr. Schaeffer filed a Request to Withdraw as Attorney of Record (docket number 12 on the above captioned adversary case); however, an Order granting this Request is not on the docket.

4. On March 28, 2012 an Order was signed granting my Pro Hac Vice admission.

5. On March 30, 2012 an Order was signed granting Pro Hac Vice admission to Marvin C. Ingber.

6. All ongoing representation matters are being handled by Marvin C. Ingber and me.

7. Defendants have authorized this action to formally remove Mr. Schaeffer as attorney of record in this matter and to have him removed from all service lists.

8. On January 19, 2015 my legal assistant sent a letter to Mr. Schaeffer enclosing a stipulation Notice of Substitution of Counsel and Proposed Order for his signature. Mr. Schaeffer's two faxed responses to that letter and his reasons for not signing the stipulation are attached as Exhibit A & Exhibit B.¹

9. Marvin C. Ingber and I have not had any direct communication with Mr. Schaeffer after the transfer of the case to us. To my knowledge, Defendants have had no contact with Mr. Schaeffer since the transfer of the case to us.

10. As the foregoing states, we have been unable to obtain Mr. Schaeffer's cooperation to remove himself as counsel.

11. It is not expected that any delay or prejudice will result to any party in this proceeding from this substitution of counsel.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: St. Paul, Minnesota

April 22, 2015

By: /s/ Robert M. McClay
Robert M. McClay

¹ Mr. Schaeffer provided the two letters via email to Judge Bernstein's Chambers on February 3, 2015.

BRUCE S. SCHAEFFER

ATTORNEY AT LAW
3 PARK AVENUE
15TH FLOOR
NEW YORK, NEW YORK 10016

TEL. (212) 689-0400
FAX (212) 696-9569

Date: January 21, 2015

To: Jennifer Fink

Fax: 651.290.2502

From: Susan Ogunnick

Re: Your letter of January 19, 2015

Number of pages to follow: 1

CONFIDENTIAL COMMUNICATION

The attached material is intended for use only by the addressee set out above. It should not be read by, or distributed to, any other person. Such material may contain privileged or confidential information, the disclosure or other use of which by other than the intended recipient may result in the breach of certain laws or the infringement of the rights of third parties. If you have received this telexcopy in error, please notify us immediately by calling our office (collect if necessary) at (212) 689-0400 so that we can make appropriate arrangements for the return of this telexcopy at our expense. We thank you in advance for your cooperation and assistance.

BRUCE S. SCHAEFFER

ATTORNEY AT LAW

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FAX (212) 696-9569

Bruce.Schaeffer@gmail.com

January 21, 2015

VIA FACSIMILE

Jennifer Fink
Legal Assistant to Robert M. McClay
McClay Alton, PLLP
951 Grand Avenue
St. Paul, MN 55105

Dear Ms. Fink:

Mr. Schaeffer will need a better and fuller explanation as to why he should cooperate with Mr. Ingber and his clients who have threatened and libeled him. Please provide immediately.

Yours truly,



Susan Ogulnick
Office Manager

BRUCE S. SCHAEFFER

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3 PARK AVENUE
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NEW YORK, NEW YORK, 10016

TEL (212) 689-0400
FAX (212) 696-9569

Date: January 28, 2015

To: Jennifer Fink

Fax: 651.290.2502

From: Susan Ogulnick

Re: Your letter of January 19, 2015

Number of pages to follow: 1

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Bruce.Schaeffer@gmail.com

SECOND NOTICE

January 28, 2015

VIA FACSIMILE

Jennifer Fink
Legal Assistant to Robert M. McClay
McClay Alton, PLLP
951 Grand Avenue
St. Paul, MN 55105

Dear Ms. Fink:

We responded immediately to your request for action by January 30 by demanding a fuller explanation. You have failed to respond. Accordingly, we have no choice but to ignore your demands and Mr. Ingber's prior threats.

Yours truly,



Susan Ogulnick
Office Manager